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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH**

UNITED STATES OF AMERICA,  Plaintiff,  v.  KONSTANIN MIKHAYLOVICH TOMILIN,  Defendant.	MOTION TO MODIFY CONDITIONS OF RELEASE  Case No. 2:19-cr-00394-RJS-DPP-3  Judge Robert J. Shelby  Magistrate Judge Dustin B. Pead
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The Defendant, Konstanin Mikhaylovich Tomilin, (“Mr. Tomilin”), by and through his attorney Kristen R. Angelos, requests this Court to modify Mr. Tomilin’s conditions of release to allow him to travel outside the state of Utah with the permission of his probation officer only, instead of also requiring the permission of the Court.

Mr. Tomilin has been on pretrial release since October 30, 2019. Mr. Tomilin has a pretrial release condition that requires him to not travel outside the state of Utah without prior permission from the pretrial officer and the Court. *See* Docket 545.<sup>1</sup>

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<sup>1</sup> This request to modify would only surround travel within the United States.

Since being on pretrial release, Mr. Tomilin has traveled outside the state of Utah with the permission of the pretrial officer and the Court several times *See* Docket. 255, 272, 525, 681, 722. There have been no violations of his release conditions during these trips. As such, at this time, he asks that the condition requiring court approval for travel outside the state of Utah be removed.

Defense counsel acknowledges that the court has sometimes denied Mr. Tomilin's requests to travel. For example, at some point, Mr. Tomilin requested that he be allowed to go to the Burning Man celebration in Nevada. The court denied this request. Defense counsel understands that if the court were to remove the current condition and allow probation to make the determination about Mr. Tomilin's travel requests within the United States, and probation does not approve Mr. Tomilin's request because of concerns, Mr. Tomilin would need to make a formal request to travel with the Court.

Additionally, since this condition is still currently in place, Mr. Tomilin is requesting that he be allowed to travel to Las Vegas and California to take his wife to California so that she may fly back to Russia during the period of August 11, 2024, through August 15, 2024.

Specifically, Mr. Tomlin asks:

- 1) That he be allowed to leave Utah on August 11, 2024, by car. He will be traveling in a KIA, license plate G493VN.
- 2) That Mr. Tomilin be allowed to stay at the STRAT Hotel for one night, on August 11, 2024. The STRAT Hotel is located 2000 Las Vegas BLVD, Las Vegas, Nevada 89104 (telephone number 1-800-998-6937).

3) That Mr. Tomilin be allowed to travel to Santa Ana California, August 12, 2024, through August 14, 2024. He will be staying at the Holiday Inn Express and Suites, Santa Ana, 1600 East First St., Santa Ana, California 92701 (telephone number 1-714-834-9455).

4) That Mr. Tomilin be allowed to travel back to Utah, staying in Las Vegas, Nevada on August 14, 2024, again staying at the STRAT Hotel (description above) for one night before returning to Utah on August 15, 2024.

5) Mr. Tomilin has all the documents reflecting reservations for the above and will provide them to the probation officer or at any hearing. Additionally, if the Court requests, Mr. Tomlin will make contact with his probation officer when he leaves Utah, when he arrives in both California and Las Vegas, Nevada, and when he returns to Utah.

6) Assistant United States Attorney Cy Castle stipulates to both requests to modify Mr. Tomilin's conditions of release to allow him to travel outside the state of Utah August 11, 2024, through August 15, 2024, and any future out-of-state, within country, travel with the permission of his probation officer only, instead of also requiring the permission of the Court.

7) Undersigned counsel reached out to United States Probation Officer Aaron Mauga and left a voicemail message regarding the modifications but had not heard back at the time of filing.

DATED this 6<sup>th</sup> day of August, 2024.

/s/ Kristen R. Angelos  
KRISTEN R. ANGELOS  
Assistant Federal Defender